

**REMARKS**

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Specifically, by this Amendment claims 1-37 and 39-42 have been amended, claims 38 and 43 have been canceled and no new claims have been added to the application. Accordingly, claims 1-37 and 39-42 are pending in the application. No new matter has been added.

In the prior Office Action, the Examiner issued a restriction requirement upon concluding that the application included claims directed to two groups of inventions, which the Examiner characterized as follows:

Group I, claim(s) 1-39, drawn to using a local anesthetic or a mixture of several local anesthetics in preparing an agent treating joint pains, which the Examiner presumes reads on a method of preparing.

Group II, claim(s) 40-43, drawn to a method for treating joint pains.

Applicant hereby elects without traverse to prosecute the Group II invention (i.e., a method of treating joint pains). Claims 1-37 and 39-42, as amended, read on the elected invention.

Also in the prior Office Action, the Examiner further required applicant to elect a fully disclosed composition that is used in the method. In response, applicant elects levobupivacaine as the neurotoxic substance and glycerin as the bio-compatible solvent.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. LUS-15874.

Respectfully submitted,

RANKIN, HILL, PORTER & CLARK LLP

By: /Randolph E. Digges, III/  
Randolph E. Digges, III, Reg. No. 40590

4080 Erie Street  
Willoughby, Ohio 44094-7836  
(216) 566-9700